



ZONING ADMINISTRATOR NOTICE OF DECISION

Date: October 9, 2013
Applicant: Sprouts Farmers Market
Case No.: DRC-13-19
Address: 690 Third Avenue
Project Planner: Miguel Z. Tapia

Notice is hereby given that on October 8, 2013, the Zoning Administrator considered Design Review application DRC-13-19, filed by Sprouts Farmers Market ("Applicant"). The Applicant requests approval of a Design Review Permit to construct a 980 square-foot enclosure of an open storage area at the southwest corner of the Sprouts Market building ("Project"). The Project Site is located at the northwest corner of Third Avenue and J Street, and has a zoning designation of C1 (Third Avenue South Corridor) of the Urban Core Specific Plan and a General Plan Land Use Designation of CO (Commercial Professional & Office). The subject Project is described as follows:

The proposed Project consists of the enclosure of an existing storage area of approximately 980 square feet located at the southwest corner of the building, next to the loading dock. The existing storage area is currently semi-enclosed by a 5-foot tall masonry wall and chain link fence, and it has no direct access to the main building. The proposed enclosure would extend the main building walls and roof over the storage area and incorporate the subject area into the building and provide additional warehouse space. The enclosure is proposed to be built of the same masonry as the existing building and it is proposed to be of the same color and character as the existing structure.

The Development Services Director has reviewed the proposed Project for compliance with the California Environmental Quality Act (CEQA) and has determined that the Project qualifies for a categorical exemption pursuant to Section 15301 (Existing Facilities) of the State CEQA Guidelines. Thus, no further environmental review is necessary.

The Zoning Administrator approved said request based upon the following findings of fact:

The proposed development, as conditioned, is consistent with the development regulations of the C1 District land use and design regulations of the Urban Core Specific Plan.

The proposed enclosure represents a small addition to an existing use (retail sales of over 5,000 square feet) which is permitted by right in the C1 (Third Avenue South) of the Urban Core Specific Plan. Thus, the proposed storage enclosure is consistent with the permitted uses of the district. The proposed enclosure is also consistent with the regulations of the C1 district in relation to lot coverage, building height and setbacks, parking, etc. The proposed addition was processed through an administrative design review permit, pursuant to Section 19.14.582.C of the Chula Vista Municipal Code.

The design features of the proposed development are consistent with, and are a cost effective method of satisfying, the City of Chula Vista Design Manual.

The proposed enclosure of the open storage area will provide a finishing touch to and improve the appearance of the southwest corner of the building, particularly as seen from J Street. The proposed materials, colors and design of the Project are in keeping with the recently updated exterior improvements to the building. The enclosure of the open storage area, located next to the loading dock, will provide a safer and better connected interior storage area with the building exterior and loading dock. As proposed, the enclosure will be well integrated into the building and will become a seamless way of expanding the building's storage area, providing additional capacity without creating negative impacts.

The Zoning Administrator, under the provisions of Section 19.14 582.G of the Chula Vista Municipal Code (CVMC), has conditionally approved the project subject to the following conditions:

- I. The following shall be accomplished to the satisfaction of the Development Services Director, prior to issuance of building permits, unless otherwise specified:**

Planning Division Conditions:

1. The Applicant/Representative and Property Owner shall execute this document by making a true copy and signing both this original Notice of Decision and the copy on the lines provided below, said execution indicating that the Applicant/Representative and Property Owner have each read, understood and agreed to the conditions contained herein, and will implement same. Upon execution, the true copy with original signatures shall be returned to the Development Services Department. Failure to return the signed true copy of this document within 30 Days of the effective date herein shall indicate the Applicant/Representative and Property Owner's desire that the project, and corresponding application for building/grading permits and/or business license, be held in abeyance without approval.

Signature of Applicant/Authorized Representative

Date

Signature of Property Owner/Representative

Date

2. The Applicant shall construct the Project in accordance with the approved concept plans for DRC-13-19, date stamped on July 29, 2013 which include a site plan, building elevations, and building floor plan and are on file in the Development Services Department. The Project shall be subject to the conditions contained herein and Title 19.

3. Applicant shall prepare construction drawings based on and consistent with the approved concept plans and shall apply for and obtain a building permit prior to the construction of the proposed Project.
4. One vertical half of the masonry walls to be constructed, the south and west side of the structure, shall be given the same smooth surface treatment as the surface finishing at the southeast and northeast corners of the building
5. The colors and materials to be applied to the proposed Project must be consistent with the colors and materials of the existing building. These colors must be shown on the construction drawings submitted for a building permit.
6. The landscaping materials located along the south building elevation shall be extended to the area of the new construction.
7. The proposed Project shall be treated with a graffiti resistant treatment. Specifications of this treatment must be shown on the construction drawings submitted for building permit. Additionally, the project shall conform to CVMC Section 9.20.055 regarding graffiti control. The applicant shall remove all graffiti on a regular basis. The Applicant shall place a note to this effect on the building permit plans.
8. All roof appurtenances, including air conditioners and other roof mounted equipment and/or projections shall be shielded from view and sound buffered from adjacent properties and streets as required by the Development Services Director. Such screening shall be architecturally integrated with the building design and constructed to the satisfaction of the Development Services Director.
9. Approval of this request shall not waive compliance with all sections of Title 19 of the Municipal Code, and all other applicable City Ordinances in effect at the time of building permit issuance or the approval of this Conditional Use Permit.

Building Division Conditions:

10. The subject project shall comply with the following codes:

2010 Edition of the California Building Code (CBC), as amended by City of Chula Vista Municipal Code Title 15;
2010 Edition of the California Residential Code;
2010 Edition of the California Mechanical Code (CMC);
2010 Edition of the California Plumbing Code (CPC);
2010 Edition of the California Electrical Code (CEC);
2010 Edition of the California Fire Code (CFC);
2010 Edition of the California Green Building Standards;
2008 Edition of the California Energy Code, City of Chula Vista increased Energy Efficiency Ordinance, the Photovoltaic Pre-wiring ordinance section 15.24.065, and the Solar Water Heating Pre-plumbing ordinance section 15.28.015.
2000 Edition of the Urban-Wilderness Interface Code.
1997 Edition of the uniform Housing Code

1997 Edition of the Uniform Code for the Abatement of Dangerous Buildings.

Land Development Division – Engineering Conditions

11. The following fees shall be required based on the Final Building Plans submitted (see attached Development Checklist for more information):
 - Sewer Connection and Capacity Fees
 - Traffic Signal Fees
 - Public Facilities Development Impact Fees (PFDIF)
 - Other Engineering Fees as applicable per attached Master Fee Schedule.
12. Additional deposits or fees in accordance with the City Subdivision Manual, and Master Fee Schedule shall be required for the submittal of the following items:
 - Construction Permit
13. Prior to obtaining any Building Permit for the Project, or approval of the Final Map (whichever occurs first), if project's total on-site improvements exceed Engineering Threshold of (currently: \$50,000), per CVMC, Section 12.24.020, then the applicant shall be required to obtain a Construction Permit from the Land Development Section of the Department of Development Services. (The On-Site Improvements Trigger for Installation of Public Improvements is adjusted on an annual basis on July 1 based on the Engineer Construction Cost Index, See Attachment) A Construction Permit is required to perform the following work in the City's right-of-way, which may include, but is not limited to:
 - Removal and replacement of any broken or damaged curb, gutter, and sidewalk per SDRSD G-2, and G-7 along the project's frontage to the satisfaction of the City Engineer. Sidewalk shall be designed and constructed with proper transitions to existing conditions.
 - Removal and replacement of existing driveway(s) meeting design standards as shown in Chula Vista Construction Standard CVCS-1A. Current driveway(s) shall be replaced, if it does not meet the City of Chula Vista Design Standards, ADA Standards, or if existing driveway is cracked or broken. Dedication of right of way as needed in order for driveway to comply with Americans with Disabilities Act (ADA) requirements.
 - Separate permits for other public utilities (gas, electric, water, cable, telephone) shall be required, as necessary.
 - Any improvements in the right-of-way beyond the project limits shall be designed and constructed as to not interfere with adjacent businesses, as approved by the City Engineer.
 - The construction and completion of all improvements and release requirements shall be secured in accordance with Section 18.16.220 of the Municipal Code.

Fire Department Conditions

Fire Department Access:

14. Fire apparatus access roads shall be marked as Fire Lanes in accordance with CVFD standards
15. Buildings shall be provided with two Knox appliances.
 - Provide a Knox Vault at the main entrance to the building
 - Provide a Knox Box at the Fire control Room
17. The building(s) shall be addressed in accordance with the following criteria:
 - 0 – 50ft from the building to the face of the curb = 6-inches in height with a 1-inch stroke
 - 51 – 150ft from the building to the face of the curb = 10-inches in height with a 1 ½ - inch stroke
 - 151ft from the building to the face of the curb = 16-inches in height with a 2-inch stroke

Automatic Fire Sprinkler and Alarm Systems:

18. If there are any modifications to the sprinkler and/or fire alarm systems, a deferred submittal will be required, and submitted to the Fire Department for approval prior to any modifications.

Fire Department Web Page:

Chula Vista Fire Prevention Division maintains an up-to-date web page, which contains several details as mentioned within this comment sheet. Please use the web address below to access these standard details/requirements:

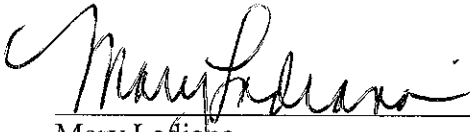
http://www.chulavistaca.gov/City_Services/Public_Safety/Fire_Department/Safety/prevention.asp

II. The following on-going conditions shall apply to the Project as long as it relies upon this approval.

1. The Applicant shall maintain the Project in accordance with the approved plans for DRC-13-19, date stamped on July 29, 2013, which includes a site plan and architectural elevations on file in the Planning Division, the conditions contained herein, and Title 19.
2. This Design Review Permit shall become void and ineffective if not utilized within three (3) year from the effective date thereof, in accordance with Section 19.14 600 of the Municipal Code.
3. The Property Owner and Applicant shall and do agree to indemnify, protect, defend and hold harmless City, its City Council members, officers, employees and representatives, from and against any and all liabilities, losses, damages, demands, claims and costs,

including court costs and attorney's fees (collectively, liabilities) incurred by the City arising, directly or indirectly, from (a) City's approval and issuance of this Design Review Permit and (b) City's approval or issuance of any other permit or action, whether discretionary or non-discretionary, in connection with the use contemplated on the Project Site. The Property Owner and Applicant shall acknowledge their agreement to this provision by executing a copy of this Design Review Permit where indicated above. The Property Owner's and Applicant's compliance with this provision shall be binding on any and all of the Property Owner's and Applicant's successors and assigns.

APPROVED BY ZONING ADMINISTRATOR OF THE CITY OF CHULA VISTA,
CALIFORNIA, this 9th day of October 2013.



Mary Ladiana
Zoning Administrator